

## NOTICE OF COMMENT PERIOD

The Nebraska Supreme Court Commission on Children in the Courts has submitted to the Supreme Court proposed amendments to the Supreme Court's Guidelines for Guardians Ad Litem for Juveniles in Juvenile Court Proceedings at sections V(E)(1) and VII(D) and (E). The Court invites interested persons to comment on these proposed amendments. Anyone desiring to comment on the amendments to the guidelines should do so in writing to the office of the Clerk of the Supreme Court and Court of Appeals, P.O. Box 98910, Lincoln, NE 68509-8910, or via e-mail to [lanet.asmussen@nebraska.gov](mailto:lanet.asmussen@nebraska.gov) no later than June 1, 2012.

A copy of the proposed amendments is available below, or a hard copy may be obtained from the Office of the Clerk of the Supreme Court and Court of Appeals upon request.

### GUIDELINES FOR GUARDIANS AD LITEM FOR JUVENILES IN JUVENILE COURT PROCEEDINGS

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#### V. DUTIES OF GUARDIAN AD LITEM

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##### E. Duty to Provide Quality Representation

1. Any attorney appointed by the court to serve as a guardian ad litem for a juvenile, or to provide guardian ad litem services for juveniles, is expected to provide quality representation and advocacy for the juveniles whom he or she is appointed to represent, throughout the entirety of the case. The number of juveniles who can be represented by a guardian ad litem in all juvenile court proceedings at any one time is limited to 60.
2. To that end, a guardian ad litem should not accept workloads or caseloads that by reason of their excessive size or demands, including but not limited to factors such as the number of children represented at any given time, interfere with or lead to the breach of the professional obligations or standards required to be met by a guardian ad litem by statute or by court rules.
3. Attorneys should not accept caseloads or appointments to serve as a guardian ad litem or to provide guardian ad litem services that are likely to, in the best professional judgment of the appointed attorney, lead to the provision of representation or service that is ineffective to protect and further the interests of the juvenile, or likely to lead to the breach of professional obligations of the guardian ad litem.

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#### VII. COMPENSATION FOR GUARDIANS AD LITEM

- A. The Supreme Court may establish a statewide uniform minimum hourly rate of compensation for guardians ad litem.
- B. Generally, no distinction should be made between rates for services performed in and outside of court, and the same rate should be paid for any time the attorney spends traveling in fulfilling his or her obligations as the guardian ad litem.

- C. Guardians ad litem shall be compensated for all hours reasonably necessary to provide quality legal representation as documented in fee applications submitted by the guardian ad litem.
- D. All guardians ad litem for juveniles shall be compensated for services on an hourly fee, and not a flat-fee scale.
- E. All guardians ad litem for juveniles shall prepare and submit for approval by the court a detailed billing statement of hours expended and services rendered in each juvenile case.